



"The City With a Heart"

Jim Ruane, Mayor
Irene O'Connell, Vice Mayor
Ken Ibarra, Councilmember
Rico E. Medina, Councilmember
Michael Salazar, Councilmember

MINUTES

SAN BRUNO CITY COUNCIL

April 23, 2013

7:00 p.m.

Meeting Location: Senior Center, 1555 Crystal Springs Road, San Bruno

1. CALL TO ORDER:

THIS IS TO CERTIFY THAT the San Bruno City Council met on April 23, 2013 at the San Bruno Senior Center, at 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:00 p.m. **Mayor Ruane** thanked the Garden Club for the beautiful flower arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE:

Presiding was Mayor Ruane, Vice Mayor O'Connell, Council Members Ibarra, Medina, and Salazar. Assistant Community Services Director Alita led the Pledge of Allegiance. Recording by Deputy City Clerk Hasha.

3. ANNOUNCEMENTS:

a. **Mayor Ruane** announced the American Cancer Society's Relay for Life will be held on Saturday, April 27, 2013 at Capuchino High School in San Bruno beginning at 10:00 a.m.

Councilmember Ibarra, the event chair encouraged people to get involved, this is the 4th year the event has taken place in San Bruno. He is so proud of how the community has come together and very pleased that they have reached their goal of raising \$40,000. Over 200 participants are anticipated and this is the largest non-profit event in the world.

b. **Vice Mayor O'Connell**, reminded that Operation Clean Sweep will be Saturday, May 4th at 9:00 a.m. in City Park and invited everyone to come and help clean up our City. She thanked Wayne Parker with San Bruno Auto Center who donated the donuts for the volunteers. Earth day was just yesterday, April 22nd and the first day that San Bruno began its plastic bag ban, and that all the volunteers at Operation Clean Sweep will receive a reusable shopping bag that day as a thank you for their time and commitment.

4. PRESENTATIONS: None.

5. REVIEW OF AGENDA: No changes.

Mayor Ruane moved Item 11, Annual Report of the Community Prepared Preparedness Committee, to follow Item 8, Public Hearings.

6. APPROVAL OF MINUTES:

Regular City Council Meeting of April 9, 2013, approved as submitted.

7. CONSENT CALENDAR:

a. **Approve:** Accounts Payable of April 8, and 15, 2013.

b. **Approve:** Payroll of April 7, 2013.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated March 31, 2013.

d. **Waive:** Waive Second Reading and Adopt Ordinance Repealing Chapter 6.08 (Discharge of Firearms) of the Municipal Code and Adding New Chapter 6.08 (Firearms) to the Municipal Code to Establish Police Permit System for New Firearms Dealers.

M/S Medina/Ibarra to approve the Consent Calendar and passed with all ayes.

8. PUBLIC HEARINGS: None.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Moved to this earlier place from its original place later in the agenda.

Receive Annual Report from the Community Preparedness Committee.

Community Preparedness Chair Dena Gunning introduced Vice Chair George Peponis, who was in attendance and gave an overview of the committee's accomplishments in the past year then outlined their plans for the next year.

Mayor Ruane complimented Chair Gunning on a very busy year and thanked the committee for all their hard work and told her how appreciates their efforts are.

Councilmember Medina visited the recent C.E.R.T. training event at Skyline College and was so impressed with the commitment displayed by the participants and their willingness to be ready to assist their community in the time of an emergency or disaster. He is extremely proud of the committee and what they have established and achieved for the community.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Keith Young, Linden Avenue, is very concerned about recent activities in his block, involving some youths and potential criminal activity. He praised the Police Department's thorough response and subsequent follow-up, however he is asking that more be done, earlier that day he delivered letters to City Hall for Councilmember Medina from his neighbors who are afraid of this situation.

Councilmember Medina said he had not received them yet but assured Mr. Young that he would get them on his way home tonight and read them.

10. CONDUCT OF BUSINESS:

a. Adopt Resolution Approving the Culture and Arts Commission Recommendation for a Centennial Art Project Concept and Site.

Assistant Community Services Director Alita reported on the Commission's recommendation of a mural on Sneath Lane near Claremont Drive and Quail Point Circle, depicting periods of San Bruno history, he explained once the idea concept was decided the site was selected by considering visual impact for motorists and pedestrians so the piece would get significant exposure, it was preferred that the City owned the site so that the process could be simplified and timely and also that there hasn't been any public art installed in the selected area, most of it is closer to El Camino. The length and spacing of the walls at this site lent itself best to the idea concept, he outlined the entire process that would take place to complete this project.

Culture & Arts Commission Chair Tobin gave finer details of recommendation.

Mayor Ruane asked if the murals would be painted directly on the concrete or if they would be painted on another type of material then hung on the walls.

Chair Tobin answered that due to the narrowness of the road and high volume traffic, the art would be produce off site and mounted on the walls and that the Commission has discussed landscaping behind the site so ivy doesn't hang over the murals.

Councilmember Ibarra is concerned that the mural in this location may be a distraction and possible traffic hazard.

Chair Tobin offered examples of other communities that have executed similar projects and has confidence that the Commission's recommendation could emulate them.

Councilmember Medina also expressed concerns about the mural being distracting to drivers and posing a danger to traffic safety and asked if the Police have reviewed this.

Chair Tobin said the commission will ask the Police Department to review their plan. She also mentioned that graffiti is more distracting and studies have shown that where there is art there is less graffiti.

Councilmember Medina agrees that the various places we have art in San Bruno have been untouched by graffiti, and asked about landscaping plans and the cost of the project.

Chair Tobin replied that low maintenance, drought tolerant vegetation would be used.

Mayor Ruane asked if any thought was given to the possibility of freeway pillars as possible sites.

Chair Tobin said that it is feasible and has been considered for future projects.

Councilmember Salazar really likes the history timeline concept, but he worries that the Sneath site might not be noticed by motorists because of the traffic density and speed and is not that accessible to pedestrians.

Chair Tobin understands the concern but thinks that people will hear about the walls and make a point of traveling through town so they can see the walls, so she doesn't think the walls will be ignored or missed, there is also a sidewalk on the other side of the street.

Vice Mayor O'Connell commended staff and the Commission's hard work and thought process on this project and doesn't think the walls will be a distraction to drivers, and it is an excellent centennial project and is glad the project will bring art to this part of the City.

Councilmember Salazar asked if tonight's action was just for the concept and project funding would be coming back to the Council at a future meeting.

Chair Tobin said yes it is just for the concept, more work has to be done on cost analysis and will be brought back to Council in July.

Vice Mayor O'Connell introduced the resolution for adoption, it passed with all ayes.

Councilmember Medina asked about the art that was where the Grade Separation is.

Chair Tobin assured him it is in storage and will be replaced somewhere in that area.

- b. Receive Staff Report and Consider Repeal of Chapter 4.40 Regarding Massage Establishments and a Revised Massage Establishment Ordinance.

City Attorney Zafferano reported on the draft ordinance regarding massage establishments, the ordinance would require all massage therapists to have a permit from the California Massage Therapy Council (CAMTC) and a certificate of registration from the City of San Bruno, which would have to be renewed annually, restricts hours of operation and could be suspended or revoked if there are any problems.

Councilmember Ibarra asked what the process was for getting a CAMTC permit.

City Attorney Zafferano explained the process involves training for a certain number of hours by a state approved massage therapy school, the CAMTC does a background check and other investigations to make sure the person is a legitimate massage practitioner, then a license will be issued, although having a license doesn't guarantee legitimate conduct.

Councilmember Ibarra said so it's not about being a good masseuse, it's whether it's being used as a front.

City Attorney Zafferano answered, yes.

Councilmember Salazar asked if there was a way to recover money from the State when they've done something that makes it difficult for the City to protect its citizens.

City Attorney Zafferano answered, not from a practical standpoint.

Councilmember Medina agreed with Councilmember Salazar's question.

Beverly May, Director of Governmental Affairs for the CAMTC, addressed the Council, commenting on the draft ordinance and staff report and offered some sample ordinances to assist the City in this process.

City Attorney Zafferano thanked Ms. May and welcomed the opportunity to work with her and the CAMTC in preparing the ordinance to bring to council for the first reading.

Vice Mayor O'Connell liked some of the suggestions Ms. May made regarding the City's draft ordinance.

- c. Receive Quarterly Financial Update Report as of March 31, 2013 for the 2012-13 General Fund, Enterprise Fund, and Internal Service Funds Operating Budget.

Finance Director Juran presented the report for the 3rd Quarter Financial Update.

Councilmember Medina requested that general administration in the expenditure category, be broken down by each department, he would also like to take a closer look at the Cable T.V. department at the Budget Study Session and also the recreation center, senior services and parks.

Councilmember Ibarra asked for clarification on the sales tax revenue.

Finance Director Juran explained that it is trending higher over last year.

- d. Adopt Resolution Authorizing the City Manager to Execute a Contract with En Pointe Technologies for Purchase of Microsoft Office Suite 2013 in the Amount of \$37,395.

Information Technology Analyst Jackson gave an overview pointing out how outdated our current version of Microsoft Office is, the process that was used to arrive at the

recommendation before the Council tonight and the suggested employee training that would be necessary to facilitate the software conversion.

Councilmember Salazar asked what the structure of the license is and if the City is able to participate in a pool that would offer us a larger discount.

IT Analyst Jackson explained that the licensing structure that the City is part of is a California State Select Agreement that is why there are only a handful of authorized resellers for Microsoft so the City is bound by the structure of that agreement between the State of California and Microsoft.

Councilmember Salazar wanted to confirm that the agreement says that the State of California gets the lowest price of any customer.

IT Analyst Jackson answered, yes that is correct.

Councilmember Medina introduced the resolution for adoption, it passed with all ayes.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

This item was moved to follow Item 8.

Receive Annual Report from the Community Preparedness Committee.

12. COMMENTS FROM COUNCIL MEMBERS:

Mayor Ruane introduced our new Fire Chief Mark Ladas with Central County Fire.

Chief Ladas expressed his excitement and said he is honored to be in his new position. He looks forward to serving the citizens of San Bruno and working with the City Manager and rest of staff to make the community that much more safe.

13. CLOSED SESSION:

- a. Conference with Labor Negotiators Pursuant to Gov't Code Section 54957.6
Agency Designated Representatives: City Manager and Human Resources Director
Employee Organization: Public Safety Mid-Management Bargaining Unit.
- b. Conference with Legal Counsel--Anticipated Litigation; Significant Exposure to Litigation
Pursuant to Government Code section 54956.9(d)(2): One Case.

14. ADJOURNMENT:

Mayor Ruane closed the meeting at 8:25 p.m. with a moment of silence for those killed and injured in the Boston Marathon tragedy and the Council entered into a closed session. The next regular City Council Meeting will be held on May 14, 2013 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the City Council Meeting of
May 28, 2013

Vicky Hasha, Deputy City Clerk

Jim Ruane, Mayor